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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/591,381	06/09/2000	Raman K. Rao	Rao-012	2673

7590

08/13/2002

Stephen E Baldwin
Trial & Technology Law Group
545 Middlefield Road
Suite 220
Menlo Park, CA 94025

EXAMINER

MEHRPOUR, NAGHMEH

ART UNIT

PAPER NUMBER

2685

DATE MAILED: 08/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/591,381

Applicant(s)

Rao

Examiner

Naghmeh Mehrpour

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 5 6) ☐ Other:

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Information Disclosure Statement

1. The information disclosure statement filed reference listed in the information Disclosure submitted on 04/16/01 have been considered by the examiner (see attached PTO-1449).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-8**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Nordeman (US Patent Number 6,363,249) in view of Yeom et al. (US Patent 5,943,625).

Regarding **Claims 1, 5**, Nordeman teaches a wireless communication and control system including a wireless device comprising 11: central server 12 means for storing 30 communication protocols and control protocols (col 2 lines 43-57); means for communicating the communication protocols and selectively communicating the control protocols between the wireless device 17, 18, and the central server 15 means (col 2 lines 64-67, col 3 lines 1-12); communication protocol means for configuring the system for communication; first control protocol means for configuring the system as one of a selection of intelligent appliance controllers (col 3 lines 26-30, lines 53-63); Nordeman does not teach second control protocol means for alternately configuring the system as one of a selection of Internet terminals. However Yeom teaches second control protocol means for alternately configuring the system as one of a selection of computer terminals. Yeom teaches

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that single device able to function as both a wireless mouse and as a handset for a cordless telephone (col 3 lines 10-15), Remote control 200 is physically separated from any appliance and communications with computer system 104 via electromagnetic radiation. Remote control 200 is made up of the mode selection switch S1, that enables certain circuit and disables others, depending on the selection, the remote together with computer 104, both operate in concert as either a cordless telephone or a computer having a wireless mouse and a modem (see figure 1, col 4 lines 31-59). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to use Yeom wireless communication system when selects a computer with wireless communication system of Nordeman, in order to enable a mobile user to operate in the computer environment.

Regarding **Claims 2-4, 6-8**, the combination of Nordeman and Yeom teaches a system wherein the wireless device comprises a wireless telephone 17, and cellular phone 18-22 (Nordeman, see figure 1, col 2 lines 163-66). The combination of Nordeman and Yeom dose not teach a system wherein the wireless device comprises a hand-held computing device. However hand-held computing device is well known in the art. Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to use hand-held computing device as well as cellular phone, cordless phone or computer, in order to achieve an efficiency, reduce the cost and provide more feasible wireless system.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's

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disclosure.

Miyashita (US Patent 6,186,630) disclose image projection system and method of controlling a projected pointer

Rostoker et al.(US Patent 6,035,212) disclose multi-frequency wireless communication device

Gilber (US Patent Number 6,172,985 B1) disclose automatic detection of pots line

Waggamon et al. (US Patent Number 6,049,289) disclose remote controlled garage door

Parker et al. (US Patent Number 6,167,271) disclose interface between cellular and wired networks with enhanced subscriber mobility

Kennedy III et al. (US Patent 6,405,033 B1) disclose system and method for routing a call using a communications network

5. **Any responses to this action should be mailed to:**

Commissioner of Patents and Trademarks

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or faxed to:

(703) 872-9314, (for formal communications indented for entry)

Or:

(703) 308-6306, (for informal or draft communications, please label

“PROPOSED” or “DRAFT”)

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, Va., sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Melody Mehrpour whose telephone number is (703) 308-7159. The examiner can normally be reached on Monday through Thursday (first week of bi-week) and Monday through Friday (second week of bi-week) from 6:30 a.m. to 5:00 p.m.

If attempt to reach the examiner are unsuccessful the examiner's supervisor, Edward F. Urban can be reached (703)305-4385.

NM

Aug 5, 2002


EDWARD F. URBAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600